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Subject: CFO draft rule

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DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT
OFFICE OF LAND QUALITY

To Whom It May Concern:

After reading through the CFO draft, I have a few concerns that I would like to express to IDEM. First, let me tell you a little about myself and what my responsibilities are. My name is Malcolm DeKryger and I am Vice President of Belstra Milling in Northern Indiana. Belstra Milling is part owner/operator of five farms that operate in Indiana and Illinois. One of our farms is Pembroke Oaks Farm in Jasper Co. It is the 2010 National Environmental Stewardship award winner for the National Pork Board. We are one of the top farms in the nation. There is no doubt that some of the regulations that have been made were needed, but as with any kind of regulation comes unintended consequences. The more regulations that are made, the more it will drive up the cost of producing pork protein. If enough regulations are made, I doubt that there will be any producers (good or bad) that will be able to comply with them all.

The following are a few of the concerns that I have with the recently released CFO draft rule:

1. I believe that all farm records should be kept on the farm, or in our case, kept at a centrally located office. It is not necessary for IDEM to have these records on file at their office.
2. Land application acreage requirements should be held to a sufficient minimum amount. It should be made easier to apply on acreage that is not in the original or amended permit. Many times grain producers ask for manure to be applied to their fields, but their acreage is not permitted. This limits the number of acres that manure gets applied on, thus driving up the phosphorus levels in permitted acreage.
3. Storm water management plans required for livestock producers are very extensive. The price for developing these plans and maintaining them are very time consuming and expensive. The average producer is going to have to pay a service company to develop the plan for them and keep it updated. There is very little storm water that comes off of livestock farms that will have a detrimental affect on the environment. Most farms already have things in place to deal with storm water and runoff potential.
4. Reasonable nitrogen loss in fall applied manure must be allowed in order to properly handle manure. Most current facilities are not designed to hold manure for a twelve month period. The few months in the spring and summer would not be adequate to get all the manure applied properly either. Trying to apply twelve months of manure in the spring and early summer would create other issues like over applying nutrients or applying in wet conditions. A better solution would be to allow for a reasonable amount of nitrogen loss for a properly applied application. The equipment and technology used for manure application has gotten much better over the years. To require all manure to be applied in the spring or summer to assure no nitrogen loss, would make it hard to justify the

expense of investing in new technology for farms or application companies to keep their equipment updated. They would only be using it for half the amount of time that they currently are. The only other choice for them is to run twenty four hours a day and seven days a week. This will result in operator fatigue and operator errors, not to mention Sunday and Holiday applications.

5. Manure applications should be allowed based on nitrogen needs of the upcoming crop plant needs. This will allow for more than one years of phosphorus to be placed on the field during one application. Phosphorus is very stable in the soil, and will only be moved by soil erosion. Once soil test levels reach 400 ppm phosphorus, a reduced rate of application should be allowed at either the current crop needs or less to assist in phosphorus drawdown. Many of the soils in our area are naturally high in phosphorus, although the phosphorus is not available to the plant. By not allowing phosphorus to be applied on these soils would increase the number of acres needed for manure applications and would also have a detrimental affect on grain producers that need the phosphorus and other nutrients that manure provides.

I hope that the day never comes that regulations drive our animal protein business out of the United States and into the hands of foreign countries. Thank you for your time and understanding in these matters. I hope that IDEM takes some of these concerns into consideration and keeps in mind what is feasible.

Respectfully,


Malcolm S. DeKryger
Belstra Milling Co.